

**REMARKS/ARGUMENTS**

**Status of the Claims**

Before this Amendment, claims 1-24 were present for examination. Claims 1, 16, and 21 are amended, and claim 25 is added; no claims are canceled. Therefore, claims 1-25 are now present for examination, and claims 1, 16, and 21 are the independent claims. No new matter is added, as the amendments are supported by the Specification (Original Application, p. 4, ll. 10-12; p. 8, l. 29 – p. 9, l. 15)

The Office Action dated October 16, 2008 ("Office Action") rejected claims 1-24 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of McDonald, U.S. Patent No. 6,648,222 ("McDonald"), in view of the cited portions of Slater, U.S. Patent No. 6,615,190 ("Slater"), and further view of the cited portions of FoodReview's All Food Stamp Benefits to be Issued Electronically ("FoodReview"). Applicants respectfully request reconsideration for the reasons that follow.

**35 U.S.C. §103(a) Rejections, McDonald et al.**

The Office Action rejected independent claims 1, 16, and 21 under 35 U.S.C. §103(a) as being unpatentable over McDonald, in view of Slater, and further in view of FoodReview. Applicants, however, believe that significant limitations from the amended independent claims are not taught or suggested by the cited references.

Specifically, neither McDonald, Slater, or FoodReview can be relied upon to teach or suggest:

1. A smart card configurable to receive and store a transfer of benefits value in any of a plurality of benefit types, as generally recited in claim 1, 16, and 21; or
2. A selection by a patron of both:
  - a) an amount of benefits monetary value to be transferred from the benefits storage device to a smart card; and

b) a benefit type from the plurality of benefit types available for the smart card.

Applicants respectfully submit that the specified limitations in independent claims 1, 16, and 21 are allowable. Claims 2-15 and 17-20, and 22-25 each depend from these independent claims, and are believed allowable at least based on their dependence from an allowable base claim. Applicants, therefore, respectfully request that the §103(a) rejections to these claims be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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